

Appl. No. 09/895,656
Amdt. dated 05/19/2005
Reply to Office Action of 01/19/2005

Amendments to the Drawings:

The attached sheet of drawings includes a new Figure 4.

Attachment: New Drawing Sheet

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REMARKS

This Amendment is in response to the Office Action mailed. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

Drawings

1. The Examiner objects to the drawings as failing to comply with 37 CFR 1.83(a) because the Examiner does not consider the drawing to show every feature of the invention specified in the claims.

Regarding claims 1-8, the Examiner asks that the "destination hold circuit", "first destination receive circuit", "second destination receive circuit", "destination read circuit", "destination compose circuit", "processing device", "first compose circuit", "second compose circuit", "transmit circuit", "compare circuit", "circuit to receive an information element", and "circuit to transmit at least a portion of the information element" be shown or the feature canceled from the claims.

Applicant has amended claims 4 and 6 to replace "processing device" with --processor-- which is shown as element 210 in Figure 2. Applicant has deleted the transmit circuit element from claim 5. Applicant has added new Figure 4 which shows the destination hold circuit 410, first destination receive circuit 420, second destination receive circuit 440, destination read circuit 430, and destination compose circuit 450 with relationships therebetween as disclosed and claimed in claim 1 as filed. Figure 4 further shows the first compose circuit 470, second compose circuit 480, and compare circuit 490 with relationships therebetween as disclosed and claimed in claim 5 as filed. Figure 4 further shows the trace circuit 500 as disclosed and claimed in claims 7 and 8 as filed. No new matter is added.

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Regarding claims 27-29, applicant has amended claim 27 to replace "first circuit" with --destination hold circuit--, "first receive circuit" with --first destination receive circuit--, "second receive circuit" with --second destination receive circuit--, and "read circuit" with --destination read circuit-- as claimed in claim 1 discussed above. Applicant has amended claim 29 to replace "processing device" with --processor-- which is shown as element 210 in Figure 2.

Applicant respectfully requests that the Examiner withdraw the objection to the drawings.

Rejection Under 35 U.S.C. § 112

3. The Examiner rejects claims 1-29 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding claims 1-8, the Examiner notes that the claims recite a "destination hold circuit", "first destination receive circuit", "second destination receive circuit", "destination read circuit", "destination compose circuit", "processing device", "first compose circuit", "second compose circuit", "transmit circuit", "compare circuit", "circuit to receive an information element", and "circuit to transmit at least a portion of the information element". The Examiner asserts that the specification fails to provide a meaningful description of the recited circuit elements and interconnections and interactions among the recited circuit elements.

Applicant has amended claims 4 and 6 to replace "processing device" with --processor-- which is shown as element 210 in Figure 2. Applicant has deleted the transmit circuit element from claim 5. Applicant has added new Figure 4 which shows the destination hold circuit 410, first destination receive circuit 420, second destination receive circuit 440,

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destination read circuit 430, and destination compose circuit 450 with relationships therebetween as disclosed and claimed in claim 1 as filed. Figure 4 further shows the first compose circuit 470, second compose circuit 480, and compare circuit 490 with relationships therebetween as disclosed and claimed in claim 5 as filed. No new matter is added.

Applicant has added paragraphs [0010.1], [0010.2], [0028.1], and [0028.2] to clarify the subject matter of claims 1 and 5 as filed. No new matter is added.

Regarding claims 27-29, applicant has amended claim 27 to replace "first circuit" with --destination hold circuit--, "first receive circuit" with --first destination receive circuit--, "second receive circuit" with --second destination receive circuit--, and "read circuit" with --destination read circuit-- as claimed in claim 1 discussed above. Applicant has amended claim 29 to replace "processing device" with --processor-- which is shown as element 210 in Figure 2.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-29 under 35 U.S.C. § 112, first paragraph.

5. The Examiner rejects claims 1-8, 10-19, 21, and 23-29 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, the Examiner finds the use of the term "first ATM transmission device" unclear in view of the recitation of destination circuit elements. Applicant has amended the claims to use the term --ATM destination transmission device-- rather than "first ATM transmission device" and --ATM source transmission device-- rather than "second ATM transmission device" to improve the clarity of the claims. The Examiner asks what the "determined selector identification" is, what it is determined from, and by what is it determined.

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Applicant respectfully submits that the "determined selector identification" is merely what the ordinary meaning of the words would suggest, a piece of identifying data used to select the ATM destination transmission device where the data is determinate. The determination of the selector identification is not a claimed element and applicant respectfully submits that it is unimportant what it is determined from, and by what is it determined. The Examiner finds it unclear between what devices the "connection" is established. Applicant has amended claim 1 to clarify that the connection is on an ATM network as discussed in paragraph [0012]. The Examiner finds unclear the meaning of "a second data message having a to-be transmitted second data." Applicant has deleted "to-be transmitted" to clarify the claim.

Regarding claim 3, the Examiner finds unclear the meaning of "the transmitted second data is the to-be received first data." Applicant has deleted "to-be received" to clarify the claim.

Regarding claim 5, the Examiner finds it unclear whether "a second ATM transmission device" is another device in addition to the previously recited "first ATM transmission device." Applicant respectfully points out that what is claimed is a system comprising a first ATM transmission device and further including a second ATM transmission device. Applicant intends to claim the full breadth of subject matter permitted by such a claim. The first and second devices could be separate devices or they could be the same device if the devices otherwise meet all the claimed elements. Applicant submits that the scope of the claim should be clear, particularly in light of the amendments and clarifying disclosures made in this response.

Applicant has amended the claim to recite relationships to other claimed elements. Applicant has deleted "a transmit circuit to transmit the first ATM data message to an ATM transmission device" to clarify the claim. The Examiner finds it unclear what "the transmitted first data" and "the received second data" are referring to. In particular, the Examiner finds "the transmitted

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"first data" inconsistent with "a first ATM data message." Applicant has amended the claim to delete "transmitted" before "first data" and to delete "ATM" before "data message." It should now be clear that "the first data" is the recited part of "a first data message having a first data." Applicant has likewise amended the claim to delete "received" before "received second data."

Regarding claim 10, the Examiner notes that a "startup message" may be the same as the previously recited "setup message." Applicant has so amended the claim to be consistent with paragraph [0016] of the specification. The Examiner finds it unclear whether "attaching" is a part of "sending." Applicant respectfully points out that the claim is drawn to the method of claim 9 wherein "sending" includes "attaching" as those two elements are further defined by the claims.

Regarding claim 11, the Examiner finds the terms for the ATM devices unclear. Applicant has amended claims 9-12 to use the terms "ATM destination transmission device" and "ATM source transmission device" consistently. The Examiner asks if "the second ATM transmission" at lines 5-6 should be "the second ATM transmission device." Applicant has amended the claim as suggested.

Regarding claim 12, the Examiner asks if "sent" should be deleted. Applicant has deleted "sent."

Regarding claim 13, the Examiner considers the phrase "having a received first data" to be redundant and creating indefiniteness. Applicant has amended the claim to clarify the language. The Examiner notes that "the first address selector byte" lacks antecedent basis. Applicant has amended the claim to provide antecedent basis. The Examiner finds the element of "a special address selector byte of the first ATM transmission device" to be unclear.

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Applicant has amended the claim to replace "special address selector byte" with --determined address selector-- to clarify the claim.

Regarding claim 14, the Examiner notes that "the data message" lacks antecedent basis. Applicant has replaced "the data message" with --the first data message-- to provide antecedent basis. Applicant has further replaced "a first data" with --the first data-- in claim 14 to make clear that this is the "first data" introduced in claim 13 as being received by the ATM destination transmission device.

Regarding claim 16, the Examiner finds the claim unclear and finds "the selector content" to lack antecedent basis. Applicant has amended the claim to improve clarity and provide antecedent basis.

Regarding claim 21, the Examiner asks that one of "at least one of" be deleted. Applicant has deleted the first one of "at least one of."

Regarding claim 25, the Examiner finds the claim unclear. Applicant has amended the claim to improve clarity.

Regarding claim 26, the Examiner finds a lack antecedent basis. Applicant has amended the claim to provide antecedent basis.

Regarding claim 27, the Examiner finds the claim unclear. Applicant has amended the claim to improve clarity.

Regarding claim 28, the Examiner finds a lack antecedent basis. Applicant has amended the claim to provide antecedent basis.

Applicant respectfully requests that the Examiner withdraw the rejection of claims 1-8, 10-19, 21, and 23-29 under 35 U.S.C. § 112, second paragraph.

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Conclusion

Applicant reserves all rights with respect to the applicability of the doctrine of equivalents.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 05/19/2005

By _____

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